

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NICOLAS ESTEBAN CAVIERES
GOMEZ,

Petitioner,

v.

CHRISTOPHER CHESTNUT, *et al.*,

Respondents.

Case No. 2:25-cv-00975-GMN-BNW

**ORDER SETTING EXPEDITED
SCHEDULE FOR RESPONDENTS TO
APPEAR AND RESPOND TO MOTION
FOR TEMPORARY RESTRAINING
ORDER OR PRELIMINARY
INJUNCTION, AND SETTING ORAL
ARGUMENT**

This is a habeas corpus action brought under 28 U.S.C. § 2241 by Nicolas Esteban Cavieres Gomez, who, according to his petition, is incarcerated at the Nevada Southern Detention Center. On June 2, 2025, Gomez filed an Application to Proceed in District Court Without Prepaying Fees or Costs (ECF No. 1), a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 4), and a Motion for Appointment of Counsel (ECF No. 5). On June 4, the Court granted Gomez *in forma pauperis* status, screened Gomez's petition and ordered it served on Respondents, ordered Respondents to appear within 20 days, and appointed the Federal Public Defender for the District of Nevada (FPD) to represent Gomez. ECF No. 3. The FPD appeared on Gomez's behalf on June 4. ECF Nos. 6, 7.

On June 9, Gomez, represented by the FPD, filed an Emergency Motion for a Temporary Restraining Order or Preliminary Injunction, with a request for oral argument. ECF No. 8. Gomez seeks a temporary restraining order or preliminary injunction enjoining Respondents from removing him or transferring him outside this Court's jurisdiction during the pendency of this action. *Id.*

1 Because Respondents have yet to appear in this action, and because Gomez
2 does not support his motion with an affidavit or verified pleading (see Fed. R. Civ. P.
3 65(b)), the Court will not adjudicate Gomez's motion *ex parte*. Rather, the Court will set
4 an expedited deadline for Respondents' appearance, an expedited briefing schedule on
5 Gomez's motion, and oral argument on the motion.

6 **IT IS THEREFORE ORDERED** that Respondents will have until Friday, June 13,
7 2025, at 11:00 a.m., to appear in this action and respond to Petitioner's Emergency
8 Motion for a Temporary Restraining Order or Preliminary Injunction (ECF No. 8).
9 Petitioner will then have until Monday, June 16, 2025, at 9:00 a.m., to file a reply.

10 **IT IS FURTHER ORDERED** that the matter of Petitioner's Emergency Motion for
11 a Temporary Restraining Order or Preliminary Injunction (ECF No. 8) is set for hearing
12 at 11:00 a.m. on Monday, June 16, 2025, in LV Courtroom 7D, at which time the Court
13 will hear argument from the parties regarding Petitioner's motion.

14 **IT IS FURTHER ORDERED** that, no later than June 10, 2025, at 4:00 p.m.,
15 Petitioner's counsel must electronically serve copies of the Petition for Writ of Habeas
16 Corpus (ECF No. 4), the Emergency Motion for a Temporary Restraining Order or
17 Preliminary Injunction (ECF No. 8), and this Order upon the Chief of the Civil Division of
18 the United States Attorney's Office for the District of Nevada.


19 **IT IS FURTHER ORDERED** that the Clerk of Court is kindly directed to serve
20 copies of the Petition for Writ of Habeas Corpus (ECF No. 4), the Emergency Motion for
21 a Temporary Restraining Order or Preliminary Injunction (ECF No. 8), and this Order,
22 upon Respondents as follows:

23 1. By serving copies of those documents on the United States Attorney for the
24 District of Nevada, by electronic means, in accordance with Rule 5(b)(2)(E) of the
25 Federal Rules of Civil Procedure.

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GLORIA M. NAVARRO
UNITED STATES DISTRICT JUDGE